

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-09 NSAE-00 RSC-01 FAA-00 L-03 SS-14 NSC-10 H-02

PRS-01 /086 W

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R 151710 Z MAR 73

FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC 4497

C O N F I D E N T I A L DUBLIN 0352

E. O. 11652: GDS

TAGS: ETRN, PFOR, EI

SUBJ: CIVAIR - LANDING RIGHTS

REF: STATE 46338 AND 33718; DUBLIN 337 AND 136

1. AMBASSADOR AND DCM CALLED ON PERMSEC HUGH MC CANN YESTERDAY, MARCH 14, TO DELIVER NOTE REDRAFTED IN ACCORDANCE WITH STATE 46338.

2. AS AUTHORIZED IN STATE 33718, WE REDRAFTED THE FIRST PARA OF THE NOTE AS WELL SO THAT IT WOULD SHOW FOR THE RECORD THE VARIOUS REPRESENTATIONS THAT WE HAVE MADE, THE REQUEST BY MR. LYNCH DURING HIS WASHINGTON VISIT FOR CHARTER LIBERALIZATION AND OUR SUBSEQUENT EFFORT TO SETTLE THIS MATTER ON THE BASIS OF THE POSITION THAT WE HAVE NOW DEVELOPED.

3. OUR PURPOSE IN GOING INTO PAST HISTORY IN THIS NOTE IS TO ATTEMPT TO NEUTRALIZE LYNCH AND HIS PARTY IN THEIR NEW ROLE OF OPPOSING THE GOVERNMENT AND THUS REMOVE A POLITICAL IMPEDIMENT TO THE NEW GOVERNMENT'S SETTLING. WE ARE THEREFORE DOING EVERYTHING POSSIBLE TO LAY THE BASIS FOR PRESENTING THE AGREEMENT AS SOMETHING TO WHICH ALL THREE MAJOR POLITICAL PARTIES CAN BE MADE A PARTY IF THE NEW COALITION GOVERNMENT WILL SIGN NOW RPT NOW.

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4. WE HAD ALREADY STRESSED FOREGOING ARGUMENTS, AS WELL AS THE GENERAL DESIRABILITY OF SETTling THIS MATTER, IN CONVERSATIONS BETWEEN THE AMBASSADOR AND THE NEW TAOISEACH, LAIM COSGRAVE (DUBLIN 337), AND IN CONVERSATIONS BETWEEN THE DCM AND FORMER SHADOW MINISTER FOR TRANSPORT AND POWER, MR. TOM O' DONNELL. THE LATTER, IT NOW TURNS OUT, WILL BE THE NEW MINISTER FOR THE GAELTACHT, BUT WE STILL FEEL THAT HE CAN HELP US TO MAKE OUR POINT WITH THE NEW MINISTER FOR TRANSPORT AND POWER, MR. PETER BARRY WHOM WE KNOW WELL AND WITH WHOM WE ARE SEEKING A MEETING AS SOON AS POSSIBLE.

5. IN DELIVERING OUR NOTE AND MAKING OUR CASE TO PERMSEC MC CANN, WE FOUND HIM TO BE NONCOMMITTAL, AS COULD BE EXPECTED FROM A CIVIL SERVANT IN HIS POSITION. HE STRESSED THAT IT WOULD BE DIFFICULT FOR THE NEW MEMBERS OF THE CABINET TO FOCUS VERY SOON ON THIS ISSUE. THE NEW MINISTER FOR FOREIGN AFFAIRS WAS LEAVING FOR BRUSSELS ALMOST IMMEDIATELY AND OTHER MINISTERS WOULD BE HEAVILY INVOLVED IN TAKING OVER THEIR INDIVIDUAL DEPARTMENTS. NEVERTHELESS, HE ASSURED US THAT OUR NOTE WOULD BE BROUGHT TO THEIR ATTENTION AS SOON AS REASONABLY FEASIBLE.

6. AFTER READING THE NOTE, MCCANN OBSERVED THAT IT DID NOT RE- ESTABLISH IRISH RIGHTS IN NEW YORK. HE SAID THAT, AS A FOREIGN AFFAIRS SPECIALIST, HE FELT THAT THIS WAS NOT WHAT IRELAND SHOULD ACCEPT AND WOULD SO ADVISE THE GOVERNMENT. YOU WILL RECALL LYNCH MADE THE SAME POINT AT JANUARY 30 MEETING (REPORTED PARA 4 OF DUBLIN 136.) HE ALSO REGARDED THE SIX MONTH TERMINATION CLAUSE AS REPRESENTING AN UNACCEPTABLE THREAT. IN HIS VIEW, THE PROPER WAY TO DO THIS WOULD BE TO AMEND THE BILATERAL WITH AN EXCHANGE OF NOTES, THUS RESTORING IRISH RIGHTS AND EXTENDING THE SIX MONTH TERMINATION CLAUSE TO 12 MONTHS, AS PROVIDED IN THE BILATERAL. WE, OF COURSE, REPLIED WITH POINTS CONTAINED STATE 42266. MC CANN CONCLUDED THAT HE HAD BEEN EXPRESSING HIS OWN VIEWS, AND IT WOULD BE UP TO THE NEW GOVERNMENT TO DECIDE.

7. WE PLAN TO PRESS THIS MATTER VIGOROUSLY, STRESSING
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THE DESIRABILITY FROM THE POINT OF VIEW OF THE NEW

GOVERNMENT OF RESOLVING THE LANDING RIGHTS ISSUE WHILE THE RESPONSIBILITY CAN STILL BE SHARED WITH THEIR POLITICAL OPPONENTS; AND STRESSING, FROM OUR OWN POINT OF VIEW, THE NECESSITY OF DOING IT IN TIME TO TAKE ADVANTAGE OF THE COMING TOURIST SEASON. WITH A CRUCIAL BUDGET DUE IN EARLY APRIL, THE BRITISH WHITE PAPER ON NORTHERN IRELAND COMING OUT IN THE NEXT WEEK OR SO AND SEVERAL EEC ISSUES COMING UP IN THE NEAR FUTURE, THIS IS NOT GOING TO BE EASY. DELIVERY OF OUR NOTE ON THE DATE THE NEW GOVERNMENT TOOK OFFICE, HOWEVER, WAS A GOOD START. MOORE

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